

### **REMARKS**

Claims 1-54 are pending in the above-identified application. Claims 1-54 were rejected. With this Amendment, claims 1-3, 9-10, 14, 16-24, 27-30, 35, 40, and 42-50 were amended and claims 13 and 39 were cancelled. Accordingly, claims 1-12, 14-38 and 40-54 remain at issue.

#### **I. 35 U.S.C. § 102 Anticipation Rejection of Claims**

Claims 1-54 were rejected under 35 U.S.C. § 102(b) as purportedly being anticipated by *Nafeh* (US 5,343,251). Applicant respectfully traverses this rejection.

Although the Applicants disagree with the Examiner's rejection of independent claims 1 and 27, Applicants have amended claims 1 and 27 to include the limitations of claims 13 and 39 respectfully in order to further prosecution of the remaining claims.

With respect to independent claim 1 as amended and with reference to the exemplary embodiment depicted in Figure 1A, Applicants claim a signal processing device having the following limitations:

*a first signal section detecting means (202) for detecting a first signal section (202a) from an input signal (200a) including at least the first signal section and the remaining signal section on a time division basis;*  
*a first signal extracting means (201) for extracting a first signal (201a) in the first signal section from the input signal in accordance with a result of the detection by the first signal section;*  
*a recording means (205) for recording each signal extracted from the input signal by the first signal extracting means (201);*  
*an index information extracting means (206) for extracting information from said first signal section to be used as a user-selectable index (206a) representing said recorded first signal; and*  
*a display means (208) for displaying said index.*

Independent claim 27 as amended has similar limitations to claim 1.

Applicant teaches that the claim 1 signal processing device allows first signals (e.g., commercial messages) to be detected in and extracted from an input signal so that the first

signals may be separated from the remaining signals (e.g., program segments) in the input signal based on respective characteristic values characterizing each first signal. *See* Application, at pgs. 3-4. Applicant further teaches that the recording means stores each first signal in association with its respective characteristic values and the an index information extracting means is adapted to extract information from each recorded first signal (and, in one implementation from the its respective characteristic values) to generate a user-selectable index (such as a the starting image, the cut point image, the cut point video image, the starting sound and/or the ending sound of the respective recorded first signal or commercial message). *See* Application, at pgs. 3-4 & pg. 18 line 19 - pg. 20 line 14. Applicants also teach that the claim 1 signal processing device allows a user to selectively access a recorded first signal or commercial message based on the displayed index corresponding to the recorded first signal. *See* Application, at pgs. 3-4 & pg. 20 line 15 - pg. 26 line 9.

*Nafeh* discloses an apparatus 10 for discerning a commercial message from a program message in an input signal 12 based on learned signal patterns associated with different classes of commercial and program messages so that the commercial messages can be eliminated (or attenuated) before being recorded on a VCR or displayed on a TV. *See Nafeh*, Col. 2:38 - Col. 3:57; Col. 5:29 - Col. 6:21; Col. 7:14-46. In particular, *Nafeh* discloses that “[t]he single output of the network [classifier 24 of apparatus 10] is used to make a decision as to whether the broadcast [or input signal 12] is either a commercial or a program, following a detected transition [in the broadcast or input signal 12]. *Nafeh* fails to disclose a means of generating an index for each recorded commercial message based on the commercial message signal (or extracted

characteristics recorded with the commercial message) such that a user may selectively access extracted and recorded commercial messages.

Accordingly, Applicants submit that *Nafeh* fails to teach all the limitations of independent claims 1 and 27 as amended and respectfully requests that the rejection to these claims be withdrawn.

Claims 2-12, 14-26, and 53 depend directly or indirectly from claim 1 and should be deemed allowable for at least the same reasons as claim 1. Claims 28-38, 40-52, and 54 depend from claim 27 and should be deemed allowable for at least the same reasons as claim 27.

Accordingly, Applicants respectfully request that the rejection to the dependent claims 2-12, 14-26, 28-38, and 40-54 be withdrawn.

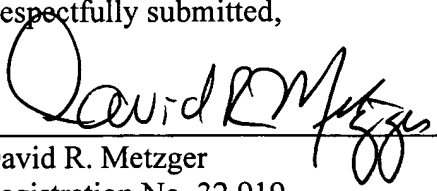
## II. Conclusion

In view of the above amendments and remarks, Applicants submit that all claims are clearly allowable over the cited prior art, and respectfully requests early and favorable notification to that effect.

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Respectfully submitted,

By:

  
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